

J6743(C) 01-0654-HC

PATENT

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Customer Number:

000201

Attorney Docket No.:

J6743(C)

Applicant:

Patel et al.

Serial No.:

10/034,511

Filed:

December 28, 2001

For:

GRADUAL PERMANENT COLORING OF HAIR USING DYE

INTERMEDIATES IN A SHAMPOO BASE

UNUS No.:

01-0654-HC

Group: 1751

Examiner: Eisa B. Elhilo

Edgewater, New Jersey 07020

October 30, 2003

LETTER WITH TERMINAL DISCLAIMER

Commissioner For Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

Applicants are attaching hereto a Terminal Disclaimer disclaiming that portion of any patent granted for the above-identified application extending beyond the expiration date of Serial Nos. 10/096,812; 10/095,657; 10/034,174 and 10/196,130.

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Please charge my Deposit Account No. 12-1155 in the amount of \$110.00 to cover the cost of the Terminal Disclaimer. Any deficiency or overpayment should be charged or credited to this deposit account. This request is being submitted in triplicate.

Respectfully submitted,

Milton L. Honig

Registration No. 28,617

Attorney for Applicant(s)

MLH/sm (201) 840-2403



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TERMINAL DISCLAIMER TO OBVIATE A PROVISIONAL DOUBLE PATENTING REJECTION OVER A PENDING SECOND APPLICATION

Docket Number (Optional) J6743(C)

In re Application of:

Patel et al.

Application No.:

10/034,511

Filed:

December 28, 2001

For:

GRADUAL PERMANENT COLORING OF HAIR USING DYE INTERMEDIATES

IN A SHAMPOO BASE

The owner*, Unilever Home & Personal Care USA, Division of Conopco, Inc., of 100% percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 to 156 and 173 as presently shortened by any terminal disclaimer filed prior to the grant of any patent granted on pending second Applications, U.S. Serial No. 10/096,812, filed on March 13, 2002; U.S. Serial No. 10/095,657, filed on March 12, 2002; U.S. Serial No. 10/034,174, filed on December 28, 2001; and U.S. Serial No. 10/196,130 filed on July 17, 2002, of any patent on the pending second applications. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for an during such period that it and any patent granted on the second applications are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant applications that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 to 156 and 173 of any patent granted on the second applications, as shortened by any terminal disclaimer filed prior to the patent grant, in the event that any such granted patent; expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as shortened by any terminal disclaimer filed prior to its grant.

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I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

2. The undersigned is an attorney or agent of record.

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Signature

Date

Milton L. Honig, Reg. No. 28,617
Typed or printed name

Terminal disclaimer fee under 37 CFR 1.20(d) is included.

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